



Australian Government

**Seafarers Safety, Rehabilitation
and Compensation Authority**

2015–16 Compendium of Seacare statistics



Contents

1. Introduction	4
1.1 Data sources	4
1.2 Calculation of data	5
2. Coverage	6
2.1 Seafarers Act coverage	6
2.2 OHS(MI) Act coverage	8
3. Occupational health and safety	9
3.1 Workers' compensation data	9
3.2 Claim characteristics	10
3.3 Ratio of reported incidents to seafarers	17
4. Workers' compensation	18
4.1 Claims summary	18
4.2 Timeliness of decision making	19
4.3 Claim payments	20
4.4 Reconsiderations	20
4.5 Disputation	21
5. Return to work	23
5.1 Duration of claims	23
5.2 Median lost time	23
5.3 Rehabilitation and return to work	24
5.4 Nature of duties on return to work	25

1. Introduction

The Seacare scheme is a national scheme of occupational health and safety (OHS), rehabilitation and workers' compensation arrangements for employees on prescribed ships or units. The *Occupational Health and Safety (Maritime Industry) Act 1993* (OHS(MI) Act) covers seafarers for OHS, and the *Seafarers Rehabilitation and Compensation Act 1992* (Seafarers Act) covers seafarers for rehabilitation and workers' compensation arrangements.

The Seacare scheme is overseen by the Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority). The Seacare Authority is a statutory body established under the Seafarers Act and oversees both the Seafarers Act and OHS(MI) Act, however the Australian Maritime Safety Authority (AMSA) has regulatory (inspectorate) functions conferred on it under the OHS(MI) Act.

This document presents an overview of the Seacare scheme and includes statistical data on the scheme's performance.

1.1 Data sources

Workers' compensation data

The primary source of data used for reporting on Seacare scheme performance, including OHS performance, is from workers' compensation claims. Compensation claims data is nationally recognised as the most reliable available proxy for reporting OHS performance outcomes.

Seacare claims data is derived from duplicate claim forms forwarded to the Seacare Authority by scheme employers, irrespective of whether the claim is covered by the employer's insurance policy. There is no obligation on an injured seafarer to lodge a *Seacare Claim for Workers' Compensation* form so not every injury results in a claim. Also, it is possible employers do not advise all employee claims to the Seacare Authority or the employer's insurer, although most probably do.

In most cases, the claims data used for reporting Seacare OHS performance is for claims accepted during the year that result in one or more weeks compensation. While this excludes claims that are pending, in dispute, withdrawn or rejected, it includes claims lodged in previous years that have been accepted in this reporting year. This approach provides consistency and stability in reporting from year to year. Accepted claims are further adjusted by excluding 'journey claims' and 'property only' claims. Consequently, the data best reflects claims where there was an injury at work or training, including both on and off duty.

Accident and incident data

The Seacare Authority monitors data on accidents and dangerous occurrences (incidents) that are reported by employers and operators to the OHS inspectorate, AMSA. Accidents resulting in death or a serious injury that requires immediate medical treatment or could result in incapacity for five days or more, or where there was a dangerous occurrence, must be reported to AMSA. Operators and employers covered by the OHS(MI) Act and its regulations are required to notify AMSA of any accident or dangerous occurrence within four hours by submitting an OHS incident alert. The OHS incident report must be completed within 72 hours.

The *Seacare Report on the Employer Determination of a Claim for Workers' Compensation* form includes questions on injuries that arise from a notifiable incident, and on whether a report has been lodged with AMSA. This mechanism provides a means of monitoring and comparing the number of incidents reported against the number of claims made.

Employee and ship details

The Seacare Authority collects employee and ship detail reports from employers in January and July each year.

Employee numbers as well as full time equivalent values and hours worked data are used in calculating injury frequency and incident rates (the denominator data that is combined with workers' compensation claims data). Ship details—including ships covered by the Seacare scheme, the number of days a ship is operational under the scheme's legislation over the year, and standard crew numbers—are also recorded.

Revision of scheme performance reports

The scheme performance reports provided incorporate all information and data received by the Seacare Authority during 2015–16.

As the numbers reported in this document are relatively small, minor amendments to the data gathered for previous years (either through additional data received or updates to the data provided on review) may result in discrepancies in the data from that reported in previous years.

1.2 Calculation of data

Employee numbers

Employee data in this report includes total number of employees covered by the Seafarers Act derived from the numbers declared by each employer. While this may be an accurate reflection of the absolute number of seafarers covered by the scheme throughout the year, in order to provide a comparison with other Australian jurisdictions, a full time equivalent (FTE) employee value is used as a seafarer number denominator for calculating incidence rates. Seacare FTE employee numbers are calculated using the formula:

$$\frac{(\text{standard complement of seafarers}) \times (\text{number of days operated in the period}) \times (\text{usual weekly shift hours worked})}{(\text{average weekly working hours—taken to be 40.4})}$$

Hours worked

Hours worked data is based on a formula agreed by the Seacare Authority and first applied in 2003–04. The formula takes into account the continuous nature of Seafarers Act coverage during a voyage where seafarers, who are generally on board a ship for 24 hours a day, are exposed to the risk of injury for the entire time on board a vessel, whether on or off duty. The formula is:

$$(\text{Standard complement of seafarers}) \times (\text{number of hours on average per day}) \times (\text{number of days operated in the reporting period})$$

2. Coverage

2.1 Seafarers Act coverage

Figure 1 shows the total number of employees, FTE employees and hours worked under the Seafarers Act—as reported by scheme employers from 2011–12 to 2015–16. The raw data is provided in Table 1.

The head count figure includes full-time and part-time employees as well as those who may have worked on limited term contracts and for multiple employers at different times throughout the year.

Over the past five years, there has been a downward trend in the number of FTE employees reported in the scheme. Over the past four years, the total number of employees and total hours worked also reduced.

Figure 1: Seafarers Act—Employee numbers, FTE employees and hours worked (2011–12 to 2015–16)

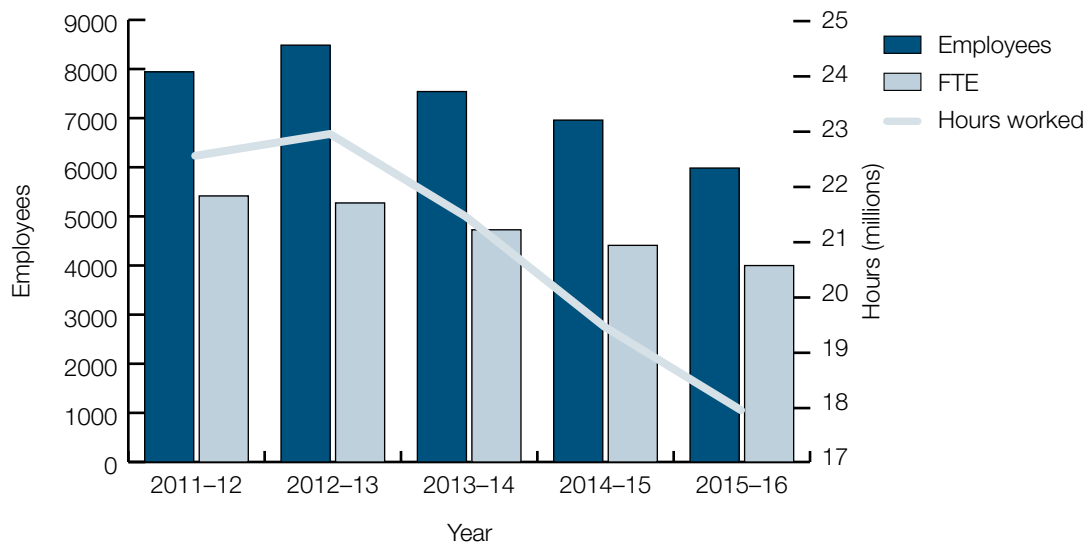


Table 1: Seafarers Act—Employee numbers, FTE employees and hours worked

	2011-12	2012-13	2013-14	2014-15	2015-16
Total Employees	7 942	8 486	7 541	6 960	5 984
Total FTE	5 416	5 273	4 727	4 410	3 999
Total hours worked	22 684 824	22 965 466	21 315 138	19 495 844	17 924 092

Tables 2 and Table 3 provide a breakdown of the total number of employees by age range and occupational grouping.

Table 2 shows that for the past five years almost 50 per cent of employees within the Seacare scheme were aged 45 or older.

Table 2: Employees by Age Range under the Seafarers Act

	2011–12	2012–13	2013–14	2014–15	2015–16
<20	64	44	35	16	34
20–24	417	385	331	289	204
25–29	813	850	738	698	573
30–34	873	877	818	819	647
35–39	959	1013	814	809	673
40–44	1030	1130	967	944	741
45–49	1080	1183	934	949	735
50–54	1045	1168	1000	878	769
>55	1556	1686	1442	1382	1131
Total	7837	8336	7079	6784	5507

Table 3 shows that for the past five years approximately one third of seafarers were employed as integrated ratings.

Table 3: Employees by Occupational Grouping under the Seafarers Act

	2011–12	2012–13	2013–14	2014–15	2015–16
Deck Officers	1799	1947	1697	1726	1560
Engineers	1709	1717	1578	1425	1229
Integrated Ratings	2747	2961	2440	2144	1606
Catering	1201	1361	1050	1226	963
Trainees	381	350	314	263	149
Total	7837	8336	7079	6784	5507

2.2 OHS(MI) Act coverage

Figure 2 shows the total number of FTE employees and total hours worked under the OHS(MI) Act—as reported by scheme employers, between 2011–12 and 2015–16. The raw data is provided in Table 4.

Similar to the Seafarers Act, over the past four years there has been a downward trend in the total number of FTE employees and total hours worked under the OHS(MI) Act.

Figure 2: OHS(MI) Act—FTE employees and Hours Worked—2011–12 to 2015–16

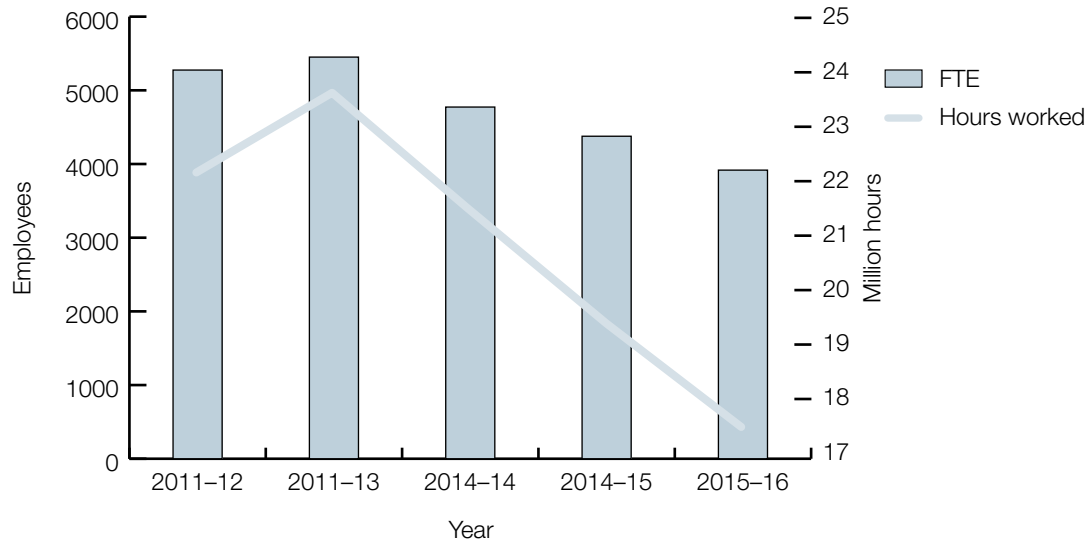


Table 4: OHS(MI) Act—FTE employees and hours worked

	2011-12	2012-13	2013-14	2014-15	2015-16
Total FTE	5275	5451	4773	4377	3917
Total hours worked	22 147 908	23 781 106	21 561 704	19 343 400	17 581 792

3. Occupational health and safety

3.1 Workers' compensation data

The injury (and disease) incidence and frequency rates are two nationally recognised, high-level OHS outcome indicators. The incidence rate is derived from the number of claims (accepted claims, excluding journey claims, which result in one week of compensation) per 1000 FTE employees while the frequency rate is based on accepted claims per one million hours worked.

Using the frequency rate reflects the 24 hour a day nature of seafaring work and the fact that injuries occurring at any time while on board are potentially compensable. In addition, most employers generally use a 24 hour divisor in calculating enterprise OHS performance indicators such as lost time injury frequency rates. Therefore, the injury frequency rate data provided in this report is generally comparable with indicators used by many scheme employers.

Figure 3 provides the incidence rate of claims resulting in one, four and 12 weeks incapacity, as well as the frequency rate of claims resulting in one week incapacity. The scheme has seen a significant reduction in the incidence and frequency of injuries resulting in one week or more incapacity over the previous five years.

Figure 3: Injury incidence and frequency rates (2011–12 to 2015–16)

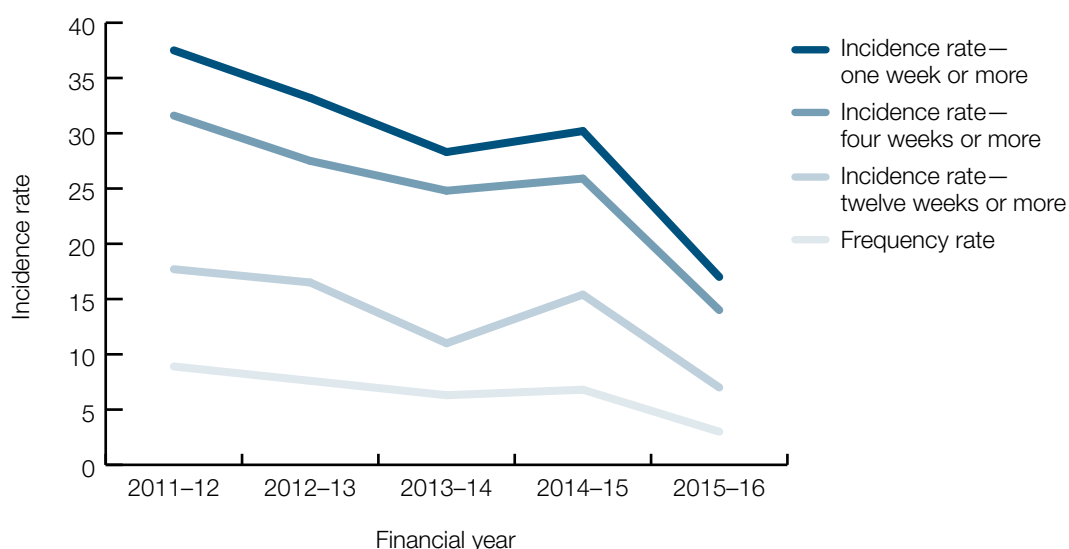


Table 5: Injury incidence and frequency rates (2011–12 to 2015–16)

	2011–12	2012–13	2013–14	2014–15	2015–16
Incidence rates—per 1000 FTE					
One week or more duration	37.5	33.2	28.3	30.2	17.0
Four weeks or more duration	31.6	27.5	24.8	25.9	14.0
Twelve weeks or more incapacity	17.7	16.5	11.0	15.4	7.0
Frequency rate—per 1,000,000 hours worked					
One week or more incapacity	8.9	7.6	6.3	6.8	3.8

3.2 Claim characteristics

This section provides a breakdown of claims based on a number of key characteristics: sector, types and cause of injuries, body location, location on the ship where the injury occurred and the age and occupation of the employee.

Figure 4 provides a breakdown of accepted claims by sector in 2015–16. The offshore sector accounted for the largest proportion of both employees and number of accepted claims in the period.

Figure 4: Accepted compensation claims and employees by sector 2015–16

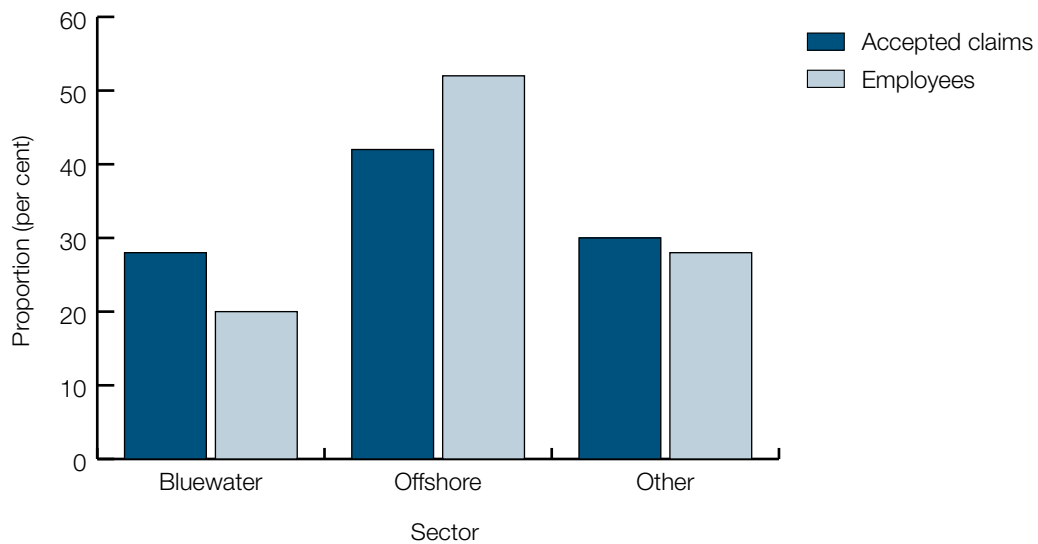


Figure 5 and Table 6 provide a breakdown of claims by the condition claimed (nature) for claims accepted between 2011–12 and 2015–16. Sprains and strains continue to be the most prevalent type of injury, accounting for 51 per cent of all injuries recorded.

Figure 5: Claims by nature of injury (2011–12 to 2015–16)

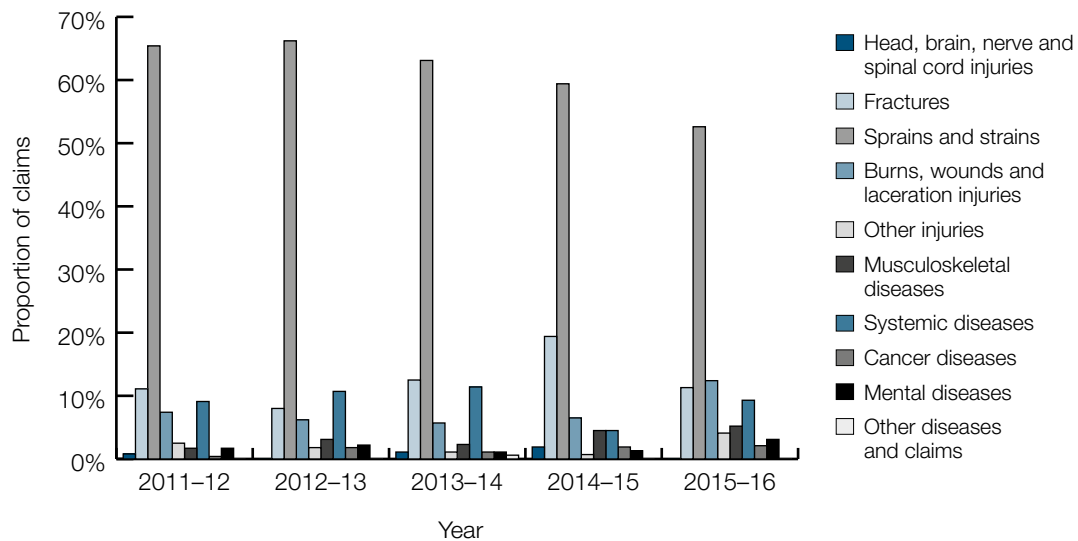


Table 6: Number and proportion of claims by nature of injury (2011–12 to 2015–16)

	2011–12		2012–13		2013–14		2014–15		2015–16	
	Claims	%	Claims	%	Claims	%	Claims	%	Claims	%
Head, Brain, Nerve and Spinal Cord Injuries	2	0.8	0	0.0	2	1.1	3	1.9	0	0.0
Fractures	27	11.1	18	8.0	22	12.4	31	19.4	11	11.3
Sprains and Strains	159	65.4	149	66.2	111	62.7	95	59.4	51	52.6
Burns, Wounds and Laceration Injuries	18	7.4	14	6.2	10	5.6	10	6.3	12	12.4
Other Injuries	6	2.5	4	1.8	2	1.1	2	1.3	4	4.1
Musculoskeletal Diseases	4	1.6	7	3.1	4	2.3	7	4.4	5	5.2
Systemic Diseases	22	9.1	24	10.7	21	11.9	7	4.4	9	9.3
Cancer Diseases	1	0.4	4	1.8	2	1.1	3	1.9	2	2.1
Mental Diseases	4	1.6	5	2.2	2	1.1	2	1.3	3	3.1
Other Diseases and Claims	0	0.0	0	0.0	1	0.6	0	0.0	0	0.0

Figure 6 and Table 7 provide a breakdown of claims by the mechanism of incident for claims accepted between 2011–12 and 2015–16. The mechanism of incident identifies the overall action, exposure or event that best describes the circumstances that resulted in the most serious injury or disease. Body stressing continues to be the most prevalent cause of injury within the Seacare scheme, followed by falls, slips and trips.

Figure 6: Claims by mechanism of injury (2011–12 to 2015–16)

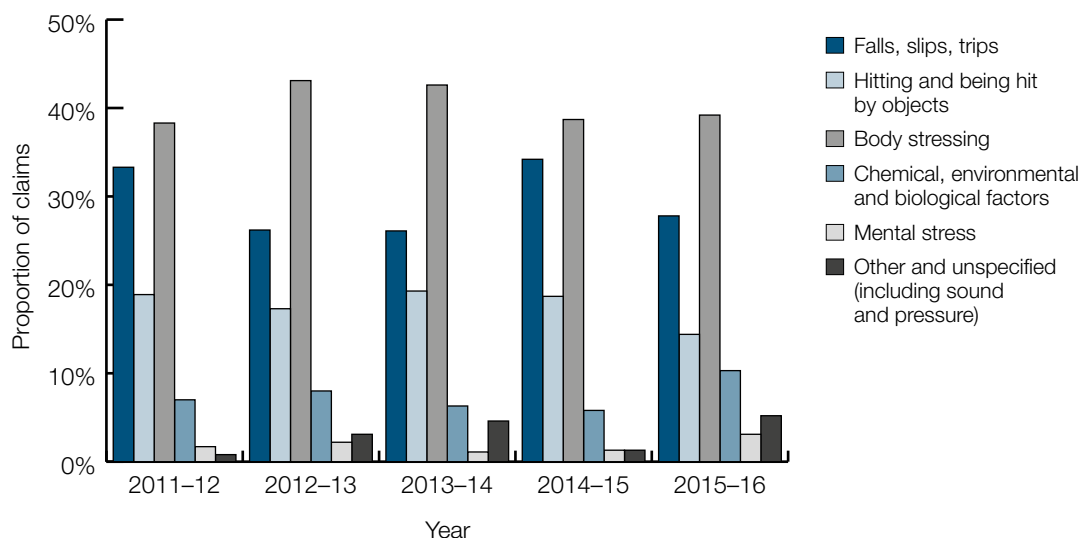


Table 7: Number and proportion of claims by mechanism of injury (2011–12 to 2015–16)

	2011–12		2012–13		2013–14		2014–15		2015–16	
	Claims	%	Claims	%	Claims	%	Claims	%	Claims	%
Falls, slips, trips	81	33.3	59	26.2	46	26.0	55	34.4	27	27.8
Hitting and being hit by objects	46	18.9	39	17.3	34	19.2	31	19.4	14	14.4
Body Stressing	93	38.3	97	43.1	75	42.4	61	38.1	38	39.2
Chemical, environmental and biological factors	17	7.0	18	8.0	12	6.8	9	5.6	10	10.3
Mental stress	4	1.6	5	2.2	2	1.1	2	1.3	3	3.1
Other and unspecified (including sound and pressure)	2	0.8	7	3.1	8	4.5	2	1.3	5	5.2

Figure 7 and Table 8 provide a breakdown of claims by body location for claims accepted between 2011–12 and 2015–16. Injuries to the trunk were the most common injury in 2015–16, followed by upper and lower limb injuries.

Figure 7: Claims by body location (2011–12 to 2015–16)

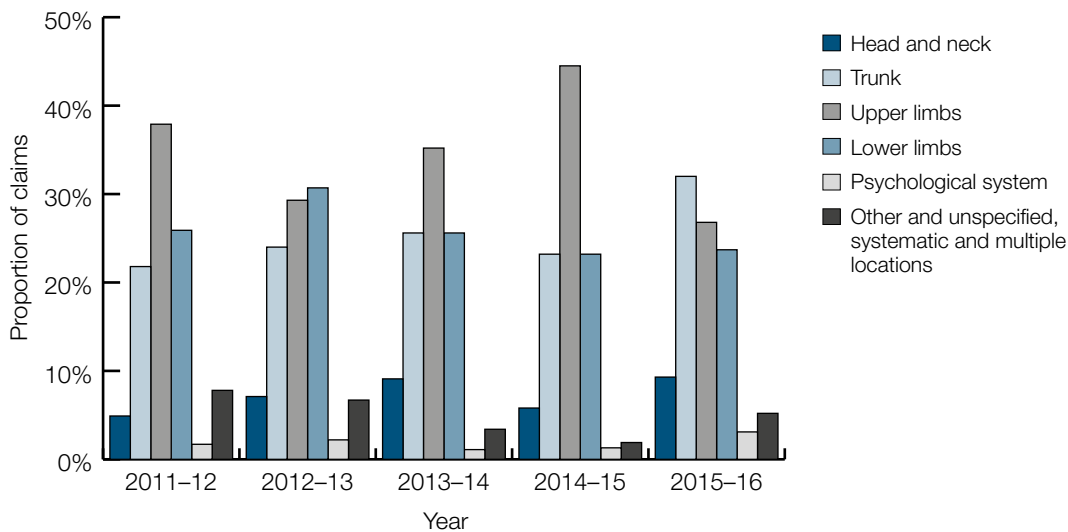


Table 8: Number and proportion of claims by body location (2011–12 to 2015–16)

	2011–12		2012–13		2013–14		2014–15		2015–16	
	Claims	%	Claims	%	Claims	%	Claims	%	Claims	%
Head and Neck	12	4.9	16	7.1	16	9.0	11	6.9	9	9.3
Trunk	53	21.8	54	24.0	46	26.0	37	23.1	31	32.0
Upper Limbs	92	37.9	66	29.3	62	35.0	71	44.4	26	26.8
Lower Limbs	63	25.9	69	30.7	45	25.4	36	22.5	23	23.7
Psychological System	4	1.6	5	2.2	2	1.1	2	1.3	3	3.1
Other and unspecified, systematic and multiple locations	19	7.8	15	6.7	6	3.4	3	1.9	5	5.2

Figure 8 and Table 9 provide a breakdown of the most common areas on a ship for injuries to occur for claims accepted between 2011–12 and 2015–16. In 2015–16, most of the injuries recorded occurred on deck spaces; consistent with the previous four years.

Figure 8: Claims by location on ship (2011–12 to 2015–16)

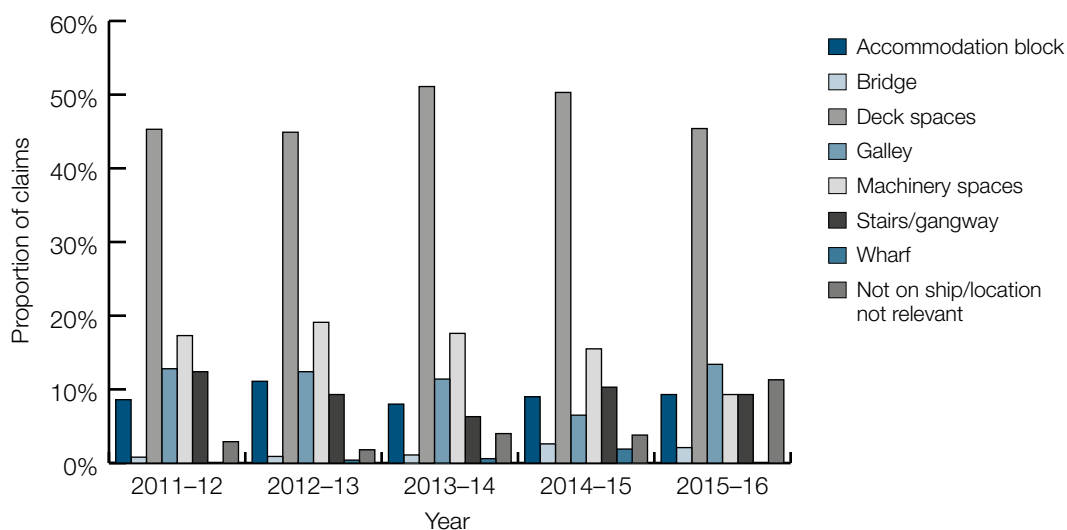


Table 9: Number and proportion of claims by location on ship (2011–12 to 2015–16)

	2011–12		2012–13		2013–14		2014–15		2015–16	
	Claims	%	Claims	%	Claims	%	Claims	%	Claims	%
Accommodation Block	21	8.6	25	11.1	14	7.9	15	9.4	9	9.3
Bridge	2	0.8	2	0.9	2	1.1	4	2.5	2	2.1
Deck Spaces	110	45.3	101	44.9	90	50.8	79	49.4	44	45.4
Galley	31	12.8	28	12.4	21	11.9	11	6.9	13	13.4
Machinery Spaces	42	17.3	43	19.1	31	17.5	25	15.6	9	9.3
Stairs/gangway	30	12.3	21	9.3	11	6.2	17	10.6	9	9.3
Wharf	0	0.0	1	0.4	1	0.6	3	1.9	0	0.0
Not on ship/ location not relevant	7	2.9	4	1.8	7	4.0	6	3.8	11	11.3

In order to provide a view into how the scheme's claims experience has changed over the last five years, comparisons of claims by age range and claims by occupational category in 2011–12 and 2015–16 are reported.

Figure 9 and Table 10 compare the proportion of accepted claims in 2011–12 and 2015–16 across a range of age groups. Employees age 45 or over make up 47.8 per cent of the scheme and 55.2 per cent of accepted claims. While the percentage of employees is comparable to 2011–12 (47 per cent), the proportion of claims for this age group has increased (59.7 per cent in 2011–12).

Figure 9: Proportion of claims by age range (2011–12 and 2015–16)

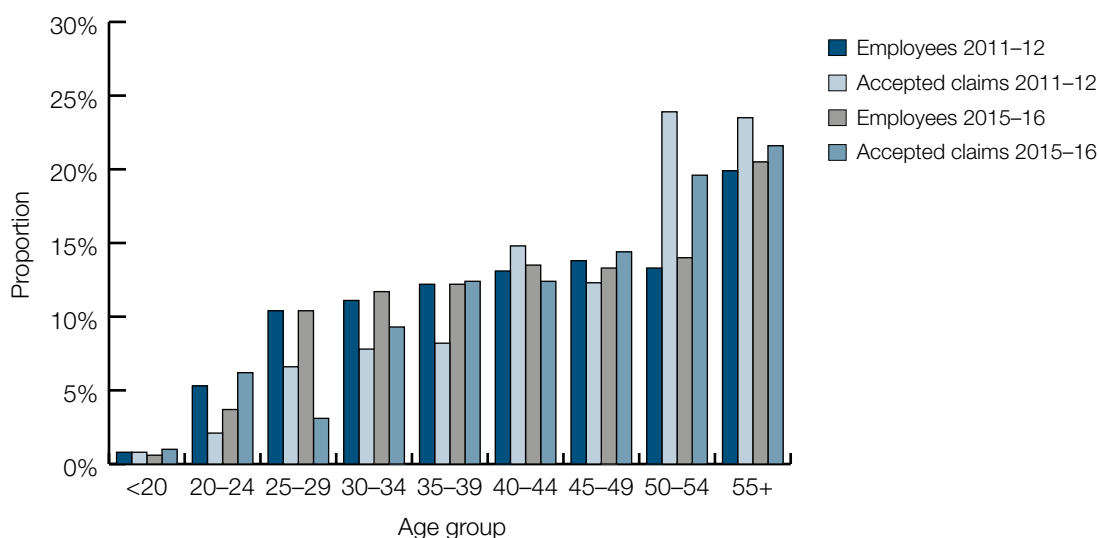


Table 10: Number and proportion of claims by age range (2011–12 and 2015–16)

Age range	2011–12				2015–16			
	Employees		Claims		Employees		Claims	
	Number	%	Number	%	Number	%	Number	%
<20	64	0.8	2	0.8	34	0.6	1	1.0
20–24	417	5.3	5	2.1	204	3.7	6	6.2
25–29	813	10.4	16	6.6	573	10.4	3	3.1
30–34	873	11.1	19	7.8	647	11.7	9	9.3
35–39	959	12.2	20	8.2	673	12.2	12	12.4
40–44	1030	13.1	36	14.8	741	13.5	12	12.4
45–49	1080	13.8	30	12.3	735	13.3	14	14.4
50–54	1045	13.3	58	23.9	769	14.0	19	19.6
55+	1556	19.9	57	23.5	1131	20.5	21	21.6

Figure 10 and Table 11 compare the proportion of accepted claims in 2011–12 and 2015–16 across the five key occupational groupings. Integrated ratings account for the highest percentage of employees (29.2 per cent) and make up the highest proportion of accepted claims (49 per cent). This has remained unchanged since 2011–12.

Figure 10: Proportion of claims by occupational category (2011–12 and 2015–16)

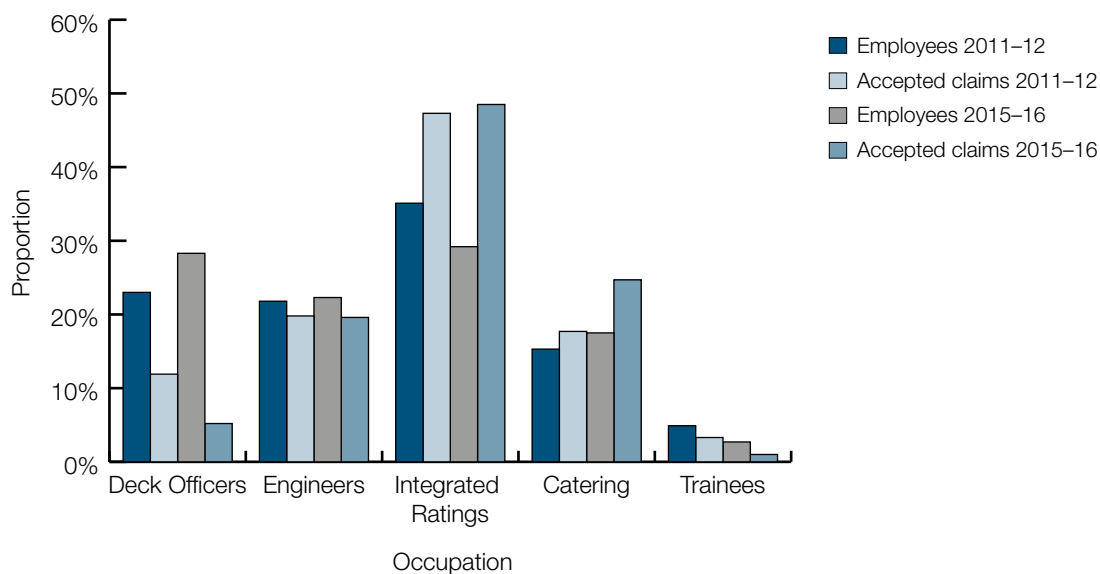


Table 11: Number and proportion of claims by occupational category (2011–12 and 2015–16)

Occupational category	2011–12				2015–16			
	Employees		Claims		Employees		Claims	
	Number	%	Number	%	Number	%	Number	%
	Number	%	Number	%	Number	%	Number	%
Deck Officers	1799	23.0	29	11.9	1560	28.3	5	5.2
Engineers	1709	21.8	48	19.8	1229	22.3	19	19.6
Integrated Ratings	2747	35.1	115	47.3	1606	29.2	47	48.5
Catering	1201	15.3	43	17.7	963	17.5	24	24.7
Trainees	381	4.9	8	3.3	149	2.7	1	1.0
Unranked/ other	0	0.0	0	0.0	0	0.0	1	1.0

3.3 Ratio of reported incidents to seafarers

Table 12 shows that the ratio of incidents reported and incidents involving five days or more incapacity, as reported to the Australian Maritime Safety Authority, have increased from that recorded for the past three years, however remain lower than that recorded in 2011–12.

Table 12: Ratio of reported incidents to seafarers

	2011–12	2012–13	2013–14	2014–15	2015–16
Number of seafarers (FTE employees) under the OHS(MI) Act	5275	5451	4773	4377	3917
All incidents reported	65	63	46	54	52
Ratio (incidents per 1000 seafarers)	12.3	11.6	9.6	12.3	13.3
Incidents reported involving an incapacity of five or more days	58	53	38	43	42
Ratio (incidents involving five or more days incapacity per 1000 seafarers)	11.0	9.7	8.0	9.8	10.7

4. Workers' compensation

4.1 Claims summary

Workers' compensation claims data reported by Seacare scheme employers to the Seacare Authority in accordance with the Seafarers Act is summarised in Table 13 below.

Table 13: Claims data

	2011–12	2012–13	2013–14	2014–15	2015–16
Claims lodged					
Claims accepted	243	225	177	160	97
Claims rejected	30	13	16	10	6
Claims pending	1	3	7	12	10
Total	274	241	200	182	113
Claims accepted					
Claims accepted—on duty	229	204	168	153	88
Claims accepted—off duty	7	13	6	6	5
Journey claims	4	4	3	1	3
Claims while studying	0	0	0	0	1
Property claims	0	0	0	0	0
Other	3	4	0	0	0
Total	243	225	177	160	97
Claims accepted—summary and duration					
Claims accepted—excluding property claims	243	225	177	160	97
Claims accepted—excluding journey and property claims	239	221	174	159	94
Claims accepted—one week or more duration (excluding journey claims)	203	175	134	133	68
Claims accepted—four weeks or more duration (excluding journey claims)	171	145	117	114	56
Claims accepted—twelve weeks or more duration (excluding journey claims)	96	87	52	68	28
Medical accepted claims (no lost time)	27	34	28	10	11
Claims accepted involving lost time	210	182	140	140	74
Claims accepted—work related fatalities	0	0	0	0	1
Claims accepted involving lost time (excluding journey claims)	206	178	137	139	71

The 109 claims lodged in 2015–16 is 73 less than the number lodged in 2014–15, representing a 40 per cent decrease.

4.2 Timeliness of decision making

The data indicates that, in general, well over half of claims made are lodged within a month.

Table 14: Time from injury to lodgement

	2011–12	2012–13	2013–14	2014–15	2015–16
Within first month	57%	57%	59%	69%	65%
Between 1 and 3 months	32%	31%	25%	21%	23%
Between 4 and 12 months	7%	10%	13%	6%	10%
After 12 months	3%	2%	3%	4%	3%

The Seafarers Act requires that all claims for injury or disease are determined within 12 days from the date that the claim is lodged with the employer. Claims for permanent impairment and those relating to deceased employees are required to be determined within 30 and 60 days respectively.

Table 15 shows the average time taken to determine new claims, from date of receipt by the employer for all claims determined in the period 2011-12 to 2015-16.

This data shows that 86% of claims were determined within the 12 day statutory time frame in 2015-16; which is the lower than the preceding four years. This may well be influenced by the overall drop in accepted claim numbers, noting that overall claim numbers have been reducing over time.

Table 15: Time from claim lodgement to decision

	2011–12	2012–13	2013–14	2014–15	2015–16
Within 12 days	84%	78%	75%	83%	70%
Longer than 12 days	16%	22%	25%	17%	30%

The Seafarers Act states that if an injury lasts, or is expected to last, 28 days or more, the employer must arrange an assessment of the employees' capacity to undertake a rehabilitation program.

The data for 2015-16 indicates that approximately half of the assessments carried out by employers of an injured employee's capability for undertaking rehabilitation occurred within 31 days from the date of injury.

Table 16: Time from injury to rehabilitation assessment

	2011–12	2012–13	2013–14	2014–15	2015–16
1 to 7 days	27%	15%	24%	26%	14%
8 to 14 days	10%	18%	10%	14%	21%
15 to 21 days	5%	5%	3%	8%	10%
22 to 31 days	4%	4%	10%	8%	7%
1 to 3 months	24%	35%	28%	24%	31%
4 to 12 months	22%	20%	24%	18%	17%
> 12 months	8%	3%	0%	3%	0%

4.3 Claim payments

A summary of total claim payments during 2015–16 indicates that weekly benefits to injured seafarers (time off work) accounts for half of total claims costs.

Total claims costs for 2015–16 are lower than for 2014–15.

Table 17: Breakdown of claim payments

	2011–12	2012–13	2013–14	2014–15	2015–16
Weekly compensation	\$10,392,173	\$12,550,111	\$9,234,239	\$8,313,312	\$5,776,623
Lump Sum	\$1,651,651	\$2,196,459	\$3,807,409	\$5,035,258	\$3,725,116
Medical	\$1,453,638	\$1,739,889	\$1,542,496	\$1,104,306	\$962,359
Rehabilitation	\$253,206	\$398,791	\$425,758	\$365,752	\$285,175
Legal Costs	\$699,773	\$544,222	\$805,081	\$641,713	\$593,158
Medical Report	\$31,737	\$87,852	\$68,475	\$69,171	\$43,528
Investigation	\$58,890	\$97,427	\$79,055	\$105,901	\$110,277
Other	\$269,936	\$195,517	\$164,883	\$421,136	\$138,077
Total	\$14,811,004	\$17,810,268	\$16,127,396	\$16,056,548	\$11,634,314

4.4 Reconsiderations

Under subsection 78(4) of the Seafarers Act an employer must, upon receipt of a written request from an employee for a reconsideration of a claim determination, arrange for an industry panel or a Comcare officer to assist in reconsidering the determination. This review is the first stage of the review process under the Seafarers Act. As there is no industry panel in place in accordance with section 78 of the Seafarers Act, Comcare conducts all reviews requested by employers for assistance to reconsider a determination.

In 2015-16, 16 determinations were reviewed on behalf of nine employers. Of these, Comcare made recommendations to vary or revoke the determinations of the employer in just one case (6 per cent), compared with recommendations to vary or revoke in 11 cases (32 per cent) in the previous year.

Comcare did not provide a recommendation in three cases due to the request being received outside the statutory timeframe to make a decision or a lack of evidence provided by the employer.

Table 18: Reconsideration assistance provided by Comcare

	2011–12	2012–13	2013–14	2014–15	2015–16
Determinations reviewed	41	28	45	34	16
Recommendations affirming determination	24	17	22	20	12
Recommendations varying determination	16	6	5	1	0
Recommendations revoking determination	-	3	13	10	1
Number of employers	24	17	19	19	9

4.5 Disputation

The Administrative Appeals Tribunal (AAT) is the second tier of review for disputed claims. The AAT review process usually begins with a conference to enable applicants to discuss with their employer, in the presence of an AAT official, the reasons for challenging the employer's determination of their claim. The conference provides an opportunity for the parties to agree on a decision. If, following the conference process, the matter has not been settled, a compulsory conciliation conference will be listed. If the matter fails to settle at the conciliation conference it will go to a hearing unless both parties and the AAT agree on mediation.

Based on current data, the disputation rate in the scheme for 2015–16 is 56 per cent (refer Figure 10 and Table 18). While the disputation rate has jumped significantly from 2013–14 to 2015–16, the rejection rate of the primary determination (calculated as the claims rejected in a financial year divided by the claims received in the same year), also set out in Figure 11, has remained relatively decreased over the same period.

The increase in disputation rate from 2013–14 to 2015–16 may relate to lodgements for subsequent claim determinations.

Figure 11: Rejection rate and disputation rate

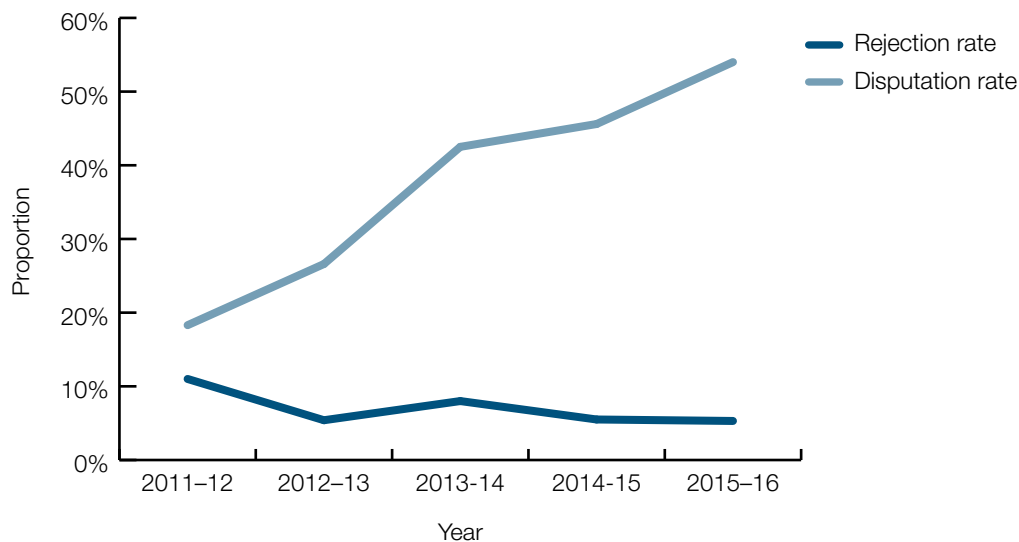


Table 19: Rejection rate and disputation rate

	2011-12	2012-13	2013-14	2014-15	2015-16
Claims lodged	274	241	200	182	113
Claims rejected	30	13	16	10	6
Rejection rate (%)	11.0	5.4	8.0	5.5	5.3
AAT applications lodged	50	64	85	83	61
Disputation rate (%)	18.3	26.6	42.5	45.6	54.0

Table 20 provides a breakdown of all AAT lodgements between 2011–12 and 2015–16.

Table 20: Outcome of AAT review of decisions

	2011–12	2012–13	2013–14	2014–15	2015–16
Applications lodged	50	64	85	83	61
Applications finalised					
Applications finalised by consent of the parties					
Decision of employer affirmed in accordance with terms of agreement lodged by the parties under subsection 34D or 42C of the AAT Act*	33	24	20	46	34
Decision of employer varied in accordance with terms of agreement lodged by the parties under subsection 34D or 42C of the AAT Act*	9	2	4	5	1
Decision of employer set aside in accordance with terms of agreement lodged by the parties under subsection 34D or 42C of the AAT Act*	7	11	13	13	16
Application dismissed by consent of the parties under section 42A(1) of the AAT Act*	0	0	2	0	0
Application withdrawn by the applicant under section 42A(1A) of the AAT Act*	15	12	6	17	7
Subtotal	64	49	45	81	58
Applications heard and determined by the AAT under section 43 of the AAT Act*					
Decision of employer affirmed by decision of the AAT following a hearing	1	3	0	0	2
Decision of employer varied by decision of the AAT following a hearing	0	0	0	0	0
Decision of employer set aside by decision of the AAT following a hearing	1	3	2	3	3
Subtotal	2	6	2	3	5
Other					
Application dismissed by the AAT under section 42A(2)(a) of the AAT Act* because applicant failed to appear	0	0	0	1	1
Application dismissed for lack of jurisdiction under section 42A(4) of the AAT Act* or by determination of the AAT following a hearing	1	0	2	4	1
Application dismissed under section 42A(5) of the AAT Act* because applicant failed to comply with a direction or to proceed with application	0	0	0	0	0
Applications dismissed under section 42B(1) of the AAT Act* as frivolous or vexatious	2	0	0	0	0
Extension of time to lodge application refused under section 29(7) of the AAT Act*	0	0	1	0	0
Other—not specified	0	0	0	0	0
Subtotal	3	0	3	5	2
Total	69	55	50	89	65
Timeframes					
Average time take from lodgement to finalisation (days)	243	288	259	287	396

* *Administrative Appeals Tribunal Act 1975*

5. Return to work

5.1 Duration of claims

Duration indicators provide an insight into the performance of employers in claims management processes. Duration data can also provide an indication of return to work outcomes.

Table 21: Receipt of claim to end of compensation

	2011–12	2012–13	2013–14	2014–15	2015–16
1 to 14 days	24%	15%	18%	18%	17%
15 to 31 days	14%	9%	10%	10%	11%
1 to 3 months	27%	32%	37%	33%	36%
4 to 12 months	25%	34%	27%	35%	36%
More than 12 months	12%	11%	8%	5%	0%

In 2015–16, compensation had been finalised within one month of the date of a claim being received by the employer in 28 per cent of cases, and within three months in 64 per cent of cases. Claims finalised within one month remains relatively consistent with previous years, however those finalised within three months is higher than the previous four years.

5.2 Median lost time

Figure 12 and Table 22 shows the median duration of lost time claims accepted between 2011–12 and 2015–16. This is based on lost time claims only. The results for claims received in 2015–16 show a reduction in the median lost time as compared to the previous year. It should be noted that data for more recent periods is relatively immature and the median duration is likely to change from year to year.

Figure 12: Median lost time

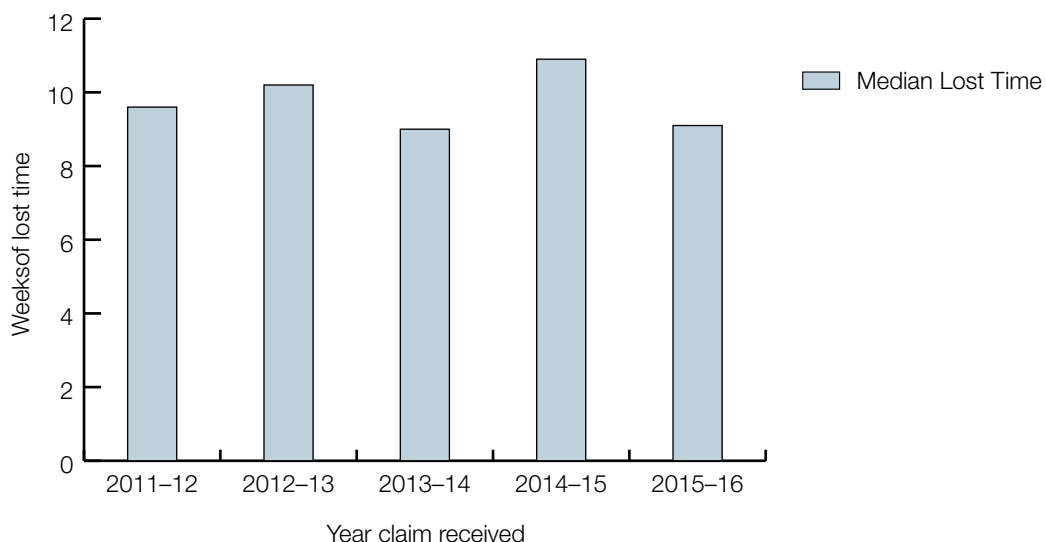


Table 22: Median lost time 2011–12 to 2015–16

	2011–12	2012–13	2013–14	2014–15	2015–16
Weeks	9.6	10.2	9.0	10.9	9.1

5.3 Rehabilitation and return to work

Table 23: Rehabilitation and return to work outcomes (percentage against claims of 28 days or more lost time)

	2011–12	2012–13	2013–14	2014–15	2015–16
Accepted claims	243	223	186	147	115
Claims of 28 days or more	170	145	130	105	59
Percentage of claimants assessed for a rehabilitation program	44%	54%	44%	61%	49%
Percentage of claimants assessed commencing a rehabilitation program	82%	91%	98%	100%	97%
Percentage of claimants commencing a rehabilitation program who returned to work	72%	66%	73%	66%	64%

Table 23 shows that in 2015–16 there were 59 claims with 28 days or more lost time. Of these, approximately 47 per cent of claims commenced a rehabilitation program. The percentage of those assessed who commence a rehabilitation program and ultimately return to work have remained relatively constant, with the smaller claim numbers making the 2015-16 results more susceptible to variation.

Of the claimants who commenced a rehabilitation program in 2014–16, 64 per cent returned to work, representing a decrease from the rate recorded in the preceding four years.

The number of accepted claims reported in Table 23 is based on claims lodged in the relevant period irrespective of the date they were accepted.

5.4 Nature of duties on return to work

Table 24 reports the number of employees who lodged a claim and subsequently returned to work, irrespective of the length of time off work.

Table 24: Return to work trend data

	2011-12	2012-13	2013-14	2014-15	2015-16
Number of employees who lodged a claim in the period that returned to work	181	156	110	97	40
Full duties	85%	79%	75%	86%	78%
Light duties	15%	21%	25%	14%	23%
Same position	88%	82%	76%	86%	73%
Other position	12%	18%	24%	14%	28%
Full-time	90%	85%	82%	90%	85%
Part-time	10%	15%	18%	10%	15%
Ship	90%	83%	75%	86%	73%
Land	10%	17%	25%	14%	28%

Whilst relative proportions have fluctuated over time, the majority of seafarers that return to work after injury do so to full duties, to full time work and/or to work on ship-based duties.

